

SCR

2

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: amel.s.chun@hawaii.gov
Subject: Submitted testimony for SCR2 on Feb 6, 2015 15:00PM
Date: Thursday, February 05, 2015 8:49:59 AM
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SCR2

Submitted on: 2/5/2015

Testimony for WTL on Feb 6, 2015 15:00PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Carty S. Chang	DLNR	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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W. ROY HARDY
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
CARTY S. CHANG
Interim Chairperson**

**Before the Senate Committee on
WATER AND LAND**

**Friday, February 6, 2015
3:00PM
State Capitol, Room 224**

**In consideration of
SENATE CONCURRENT RESOLUTION 2
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT KAHALUU,
KOOLAUPOKO, OAHU, FOR THE USE, REPAIR, AND MAINTENANCE OF THE
EXISTING SEAWALL**

Senate Concurrent Resolution 2 requests the authorization to issue a term, non-exclusive easement covering 31,266 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 4-7-011: seaward of 001¹, at Kahaluu, Koolau-poko, Oahu for use, repair, and maintenance of existing seawall constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). The Department of Land and Natural Resources ("Department") notes that a similar concurrent resolution (Senate Concurrent Resolution 14) was introduced as part of the Administration's 2015 Legislative Package. **As such, the Department supports Senate Concurrent Resolution 2.**

The current owner of the abutting property, Kahaluu Pond, Inc., obtained a 30-year term easement from the Board of Land and Natural Resources ("Board") commencing from 1984. In view of the expiration date in 2014, the owner requested the Board issue a new 55-year term easement for the same purpose. As required by Section 171-53, HRS, the Board may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". At its meeting on October 11, 2013, under agenda item D-6, the Board approved the issuance of a term, non-exclusive easement for seawall purposes.

¹ The TMK appeared on page 2 of the resolution should read "seaward of 001".

In addition, the Board authorized the issuance of a right-of-entry to Kahaluu Pond, Inc. for seawall purposes until the execution of the easement document.

The Department hired the appraisal firm of Appraisal Hawaii, Inc. who determined the one-time payment fair market value of the easement is \$4,060.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
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Subject: Submitted testimony for SCR2 on Feb 6, 2015 15:00PM
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SCR2

Submitted on: 2/5/2015

Testimony for WTL on Feb 6, 2015 15:00PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Wong	Individual	Support	No

Comments: Kahaluu Pond Inc. supports SCR 2 - The fishpond is on the State and National Registers of Historic Sites and is one of the few remaining fishpond s on Oahu in good condition. Parts of the fishpond wall were destroyed in 1965 by a hurricane - In 1981, the wall was repaired with a portion placed on state submerged lands, resulting in the Land Board in 1984,issuing a 40 year non-exclusive easement for repair and maintenance. This easement expired on February 28, 2014. Subsequently, the Board of Land and Natural Resources held a hearing and approved a new 55 -year non-exclusive easement for the maintenance and repair of the seawall, which action requires legislative approval. Kahaluu Pond requests your support of SCR 2, in order help with our preservation efforts of this historic site.

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